

REMARKS

Claims 1 through 36 are currently pending in the application.

Claims 31 through 36 are newly added with this amendment.

This amendment is in response to the Office Action of November 15, 2004.

Preliminary Amendment

Applicants note the filing of a Preliminary Amendment on December 1, 2003, which filing was not acknowledged in the outstanding Office Action. Should the Preliminary Amendment have failed to have been entered in the Office file, Applicants will provide a true copy to the Examiner.

35 U.S.C. § 102(b) Anticipation Rejections

Anticipation Rejection Based on Cruse (U.S. Patent 4,058,223)

Claims 1 through 3 and 7 through 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cruse (U.S. Patent 4,058,223).

Applicant asserts that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicants have amended the claimed invention to clearly distinguish over the cited prior art.

Applicant asserts that presently amended independent claim 1 is not anticipated under 35 U.S.C. § 102 by the Cruse reference because the Cruse reference does not identically describe, either expressly or inherently, each and every element of the presently claimed invention in as complete detail as is contained in the claim.

Turning to the cited prior art, the Cruse reference describes a pin 27 integral with a diaphragm 25 extending from one side thereof. The pin 27 is formed having a shoulder or stop 28 to form a reduced portion having a flat side 30 for engaging the article 11 integral with a

diaphragm 25 extending from one side thereof. The other side of the diaphragm is subjected to a pressure or vacuum to create a pressure differential across the diaphragm 25 to move the pin 27 into or out of engagement with an article 11 within a controlled environment by the flat side 30 of the pin 25 abutting a portion of an end of the article 11.

Applicant asserts that the Cruse reference does not identically describe the element of the presently claimed invention of presently amended independent claim 1 calling for “a first flexible membrane disposed between the first and second plates for receiving a first fluid pressure adjacent the first opening of the first plate for causing the first flexible membrane to extend outwardly through the first opening of the second plate to immobilize at least one semiconductor device moving adjacent thereto by said first flexible membrane having a portion thereof substantially conforming to a surface of the at least one semiconductor device, the surface of the at least one semiconductor device including one surface of a surface having conductive elements thereon and a surface opposite a surface having conductive elements thereon”. In contrast to such an element, at best, the Cruse reference describes a pin 27 abutting an end of an article 11.

Therefore, presently amended independent claim 1 is allowable as well as dependent claims 2 through 9 therefrom.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on Cruse (U.S. Patent 4,058,223) in view of Japanese Patent 62-175321

Claims 10 through 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cruse (U.S. Patent 4,058,223) in view of Japanese Patent 62-175321. Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicant asserts that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of

the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure.

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicants have amended the claimed invention to clearly distinguish over the cited prior art.

Applicant asserts that any combination of the Cruse reference and the Japanese Patent does not and cannot establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed inventions of presently amended independent claims 10, 16, 20, and 23 because any combination of such prior art, at the very least, does not teach or suggest all of the claim limitations of such claims.

Again, Turning to the cited prior art, the Cruse reference teaches or suggests a pin 27 integral with a diaphragm 25 extending from one side thereof. The pin 27 is formed having a shoulder or stop 28 to form a reduced portion having a flat side 30 for engaging the article 11 integral with a diaphragm 25 extending from one side thereof. The other side of the diaphragm is subjected to a pressure or vacuum to create a pressure differential across the diaphragm 25 to move the pin 27 into or out of engagement with an article 11 within a controlled environment by the flat side 30 of the pin 25 abutting a portion of an end of the article 11.

The Japanese Patent reference teaches or suggests pins 3, 5 to stop IC devices 2 on a track 1.

Applicant asserts that any combination of the cited prior art fails to teach or suggest the claim limitations of presently amended independent claims 10, 16, 20, and 23 calling for "a first flexible membrane configured to receive an applied fluid pressure on a surface thereof and to expand to contact and immobilize at least one IC component moving adjacent thereto by said first flexible membrane having a portion thereof substantially conforming to a surface of the at least one IC component, the surface of the at least one IC component including one surface of a surface having conductive elements thereon and a surface opposite a surface having conductive elements thereon", "a second flexible membrane configured to receive an applied fluid pressure on a surface thereof and to expand to contact and immobilize at least one other IC component moving adjacent to the second flexible membrane by said second flexible membrane having a

portion thereof substantially conforming to a surface of the at least one other IC component, the surface of the at least one IC component including one surface of a surface having conductive elements thereon and a surface opposite a surface having conductive elements thereon”, “a first flexible membrane to receive an applied fluid pressure on a surface thereof and to contact at least one of the plurality of IC devices to stop the advancement thereof by said first flexible membrane having a portion thereof substantially conforming to a surface of an IC device, the surface of the IC device including one surface of a surface having conductive elements thereon and a surface opposite a surface having conductive elements thereon”, “a second flexible membrane configured to receive an applied fluid pressure on a surface thereof and to contact at least one of the plurality of IC devices to stop the advancement thereof by said second flexible membrane having a portion thereof substantially conforming to a surface of another IC device, the surface of the another IC device including one surface of a surface having conductive elements thereon and a surface opposite a surface having conductive elements thereon”, “a first flexible membrane configured to receive an applied fluid pressure on a surface thereof and to contact at least one of the plurality of IC devices to stop the advancement of the at least one of the plurality of IC devices by said first flexible membrane having a portion thereof substantially conforming to a surface of an IC device, the surface of the IC device including one surface of a surface having conductive elements thereon and a surface opposite a surface having conductive elements thereon”, “a second flexible membrane configured to receive an applied fluid pressure on a surface thereof and to contact at least one other of the plurality of IC devices to stop the advancement of the at least one other of the plurality of IC devices by said second flexible membrane having a portion thereof substantially conforming to a surface of another IC device, the surface of the another IC device including one surface of a surface having conductive elements thereon and a surface opposite a surface having conductive elements thereon”, and “contacting at least one of the plurality of IC devices with the first flexible membrane and immobilizing the at least one of the plurality of IC devices, said first flexible membrane having a portion thereof substantially conforming to a surface of an IC device, the surface of the IC device including one surface of a surface having conductive elements thereon and a surface opposite a surface having conductive elements thereon”.

At best, the Cruse reference teaches or suggests a pin 27 having a surface 30 contacting a portion of and end of and IC device. The Japanese Patent reference teaches or suggests the use of multiple pins 3 and 5. Any combination of the Cruse reference and the Japanese Patent reference teaches or suggests the use of multiple pins. Such is not the presently claimed inventions of presently amended independent claims 10, 16, 20, and 23. Therefore, presently amended independent claims 10, 16, 20, and 23 are allowable as well as the dependent claims therefrom.

Objections to Claims 4 through 6/Allowable Subject Matter

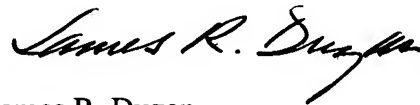
Claims 4 through 6 stand objected to as being dependent upon rejected base claims, but are indicated to contain allowable subject matter and would be allowable if placed in appropriate independent form.

Applicant appreciates the indication of allowable subject matter in dependent claims 4 through 6, but such claims have not been rewritten in independent form in this amendment.

Applicants submit that claims 1 through 36 are clearly allowable over the cited prior art.

Applicants request the allowance of claims 1 through 36 and the case passed for issue.

Respectfully submitted,



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